

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ANDRE HALL and JERMAINE MINITEE,

Plaintiffs,

v.

CAPITAL ONE FINANCIAL CORP., *et al.*,

Defendants.

Case No: 1:22-cv-857-PTG-JFA

DEFENDANTS' MOTION TO DISMISS THE COMPLAINT

Defendants Capital One Financial Corporation, the Board of Directors of Capital One Financial Corporation, and the Capital One Financial Corporation Benefits Committee (together, "Defendants"), by their counsel and in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure, as well as Local Civil Rule 7, hereby move the Court to dismiss Plaintiffs' Complaint (ECF No. 1) in its entirety and with prejudice.

Defendants set forth the reasons for dismissal in the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, filed herewith.

Dated: October 17, 2022

Respectfully submitted,

s/ Matthew J. Sharbaugh

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CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2022, I caused to be served a true and correct copy of the foregoing on the following counsel of record by the Court's CM/ECF system:

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